



MEMORANDUM

The Department of Community Planning & Development

Planning Division

455-3900

To: Planning Commission
From: Tom Martin, AICP, City Planner
Subj: Draft Landscaping Ordinance
Date: March 16, 2006

The Landscaping Ordinance Committee appointed by the Planning Commission has completed preparing a draft ordinance. The draft is the result of five (5) months of work by the Committee and City Staff. The Ordinance as proposed would help to implement the *City's Comprehensive Plan 2002-2020*.

It is important to remember that the attached document is a draft and is subject to change by the Planning Commission and the City Council before adoption. The draft ordinance has been reviewed by the City Manager, the City Attorney. I have also received preliminary comments vocally from a local attorney, Mr. Bill McRorie. The Citizen Monitoring Committee reviewed the draft ordinance on March 9. A list of comments that needs to be discussed is attached.

I have not made changes to the draft ordinance base upon any comments received, because the Planning Commission tasked the Landscaping Ordinance Committee with preparing the draft document and comments were received after the Committee had finished its work.

At the Planning Commission work session, I plan to discuss with you the draft ordinance and comments received in detail. The Planning Commission will then need to decide if the draft ordinance needs to be changed prior to its public hearing on April 12. It is anticipated that this will be a long meeting.

Citizen Monitoring Committee Comments

- A statement or statements clarifying that the ordinance had no application to residential properties.
- Check spelling and alter definition of “riprap” and use consistent spelling of the word throughout ordinance.
- Make provision for semi-permeable, weed retardant material in 35.1-25.1.3.(e).
- Make provision for rock and wood retaining walls in 35.1-25.1.3.(g).
- Change “open areas” to “disturbed areas” in 35.1-25.1.3.(k).
- Restrict requirements for amendments, fertilization and watering to within first year of planting.
- Alter 35.1-25.5.(e) to reflect at 50% of the sale of lots or at time of street construction rather than within a 6 months.
- Recommend that the Planning Division create a “Best Design Manual” to supplement ordinance that provides a catalog of design specifications for landscaping similar features.
- Change 35.1-25.6.(c)3. such that landscape medians are a “minimum” of 6 feet.
- Change or remove the word “continuous” from 35.1-25.6.(e)1.
- Add the word “shall” (be curvilinear ...) in 35.1-25.6.(e)3. and 35.1-25.10.(c).
- Add the word “shall” (be raised ...) to 35.1-25.7.(c).
- Define “development site” in 35.1-25.11.(b).
- Review Section 35.1-25.11.(f); committee members differed on opinion on this.

City Attorney Comments

- Clarify sections of the draft ordinance that give administrative discretion to City Staff.

Bill McRorie’s Comments

- How will the ordinance address parking decks?
- Clarify the use of wording for “business” v. “commercial” for consistency.
- Ongoing requirements for maintenance?
- Tree Canopy Banks?
- Shrub Size at planting?
- Is there adequate staffing to enforce the Landscaping Ordinance?